

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 HA-05 AID-05 CIAE-00 DODE-00 PM-05
H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01
SP-02 SS-15 USIA-06 IO-13 JUSE-00 CU-04 PC-10
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FM AMEMBASSY KABUL
TO SECSTATE WASHDC 6120
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E.O. 11652: N/A
TAGS: SHUM, EAID, AF
SUBJECT: HUMAN RIGHTS: IMPROVING THE LEGAL BASIS FOR CIVIL
AND HUMAN RIGHTS IN AFGHANISTAN

FOR STATE AND AID

ISLAMABAD: FOR RLA ZARR

REF: KABUL 8925

1. THE EMBASSY IS CURRENTLY IN THE PROCESS OF ORGANIZING A
PERMANENT COUNTRY TEAM COMMITTEE TO ASSESS AND MONITOR HUMAN
RIGHTS PROGRESS IN AFGHANISTAN AND DEVELOP ACTION PROGRAMS
WHEREEVER APPROPRIATE.

2. AS A FIRST AREA FOR STUDY, THE COMMITTEE WILL UNDERTAKE
TO
POK AT THE EVOLVING LEGAL BASIS FOR CIVIL AND HUMAN RIGHTS
IN AFGHANISTAN (REFTEL). RICHARD POWERS, A LOCALLY RESIDENT
FULBRIGHT LAWYER FROM ST. LOUIS UNIVERSITY, WILL BE ASKED TO
WORK WITH THE COMMITTEE IN THIS STUDY.

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3. IN THIS CONNECTION, WE BELIEVE THAT IT WOULD ALSO BE USEFUL TO
BE ABLE TO EVALUATE THE POSSIBILITIES FOR FURTHER U.S.-FUNDED
PROGRAMS IN LAW, INCLUDING: (A) FULBRIGHT LAWYERS ASSIGNED TO
MINISTRY OF JUSTICE; (B) CU SCHOLARSHIPS AND LEADERSHIP GRANTS;
AND (C) SOME NEW PROGRAM LIKE THE RECENT AID-FUNDED NATIONAL
DEVELOPMENT TRAINING PROJECT. THE COMMITTEE WILL SPECIFICALLY

WANT TO:

A) ASSESS THE EXTENT TO WHICH THE PURPOSES OF THE NOW CONCLUDING USAID-FUNDED LEGAL TRAINING ASSISTANCE PROGRAM WERE MET;

B) ASSESS THE IMPACT OF VARIOUS U.S. ASSISTANCE PROGRAMS ON THE LEGAL SYSTEMS OF VARIOUS COUNTRIES GENERALLY AND ON THE STATUS OF CIVIL AND HUMAN RIGHTS SPECIFICALLY; AND

C) EXPLORE WAYS ADDITIONAL U.S. ASSISTANCE (E.G. , THROUGH CU, USIS, AID, PEACE CORPS AND PRIVATE VOLUNTARY ORGANIZATIONS) COULD POSSIBLY ADVANCE THE CAUSE OF CIVIL AND HUMAN RIGHTS EFFECTIVELY, DIRECTLY, AND QUICKLY.

4. WE REQUEST AID FUNDING FOR THIS EVALUATION, UTILIZING NE PDS FUNDS, IN ORDER TO FINANCE THE SERVICES OF ONE OR MORE SHORT-TERM CONSULTANTS. WE BELIEVE THAT AID/PPC/PDA AND STATE/D/HA COULD BE HELPFUL IN IDENTIFYING A SUITABLE CANDIDATE -- OR CANDIDATES FOR THIS EVALUATION TASK. THE MISSION THINKS THAT DR. WILLIAM FOSTER, A PROFESSOR AT THE UNIVERSITY OF WISCONSIN WHO RECENTLY SERVED AS A FULBRIGHT LAWYER IN KABUL, COULD BE VERY EFFECTIVE GIVEN HIS CONTACTS AND RAPPORT WITH AFGHAN LEGAL COMMUNITY. WHETHER FOSTER IS INDEED THE BEST CANDIDATE IN TERMS OF HUMAN RIGHTS ASSESSMENTS, HOWEVER, THE MISSION CANNOT DETERMINE. BUT IF HE WERE TO BE COUPLED WITH A PERSON WHO IS EXPERIENCED AND SENSITIVE TO THE DEPARTMENT'S HUMAN RIGHTS LIMITED OFFICIAL USE

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CONCERNS, WE BELIEVE THAT HE WOULD AT LEAST BE AN APPROPRIATE TEAM MEMBER.

5. IN ORDER TO INITIATE THIS STUDY AS EXPEDITIOUSLY AS POSSIBLE.*WE REQUEST A TIMELY RESPONSE TO OUR PROPOSAL, INCLUDING THE NOMINATION OF A CANDIDATE OR CANDIDATES. WE BELIEVE THAT THREE WEEKS WOULD BE ADEQUATE FIELD TIME FOR THE EVALUATION -- COUPLED WITH A WEEK'S BRIEFING IN WASHINGTON BEFORE DEPARTURE AND A TWO-DAY WASHINGTON DEBRIEFING AT THE CONCLUSION OF THE EVALUATION. ELIOT

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